

BURKE SHIRE COUNCIL



AGENDA & BUSINESS PAPERS

***Ordinary General Meeting
18 March 2009***



Burke Shire Council

AGENDA
Ordinary General Meeting
18 March 2009

AGENDA

01. Opening of Meeting (Scheduled for 10:00 am)
02. Record of Attendance
03. Consideration of Applications for Leave of Absence Cr Tonya Murray
04. Confirmation of Minutes of previous Meeting(s) Ordinary General Meeting 24-25 February 2009
05. Mayoral Minute and Report Verbal Report
06. Councillor Reports Verbal Reports
07. Consideration of Notice(s) of Motion None received at time of agenda preparation
08. Consideration of Petitions None received at time of agenda preparation
09. Chief Executive Officer Reports <i>“Governance, Development, Environmental Services”</i> 09.01. <u>Business Papers for Information</u> 09.01.01 Monthly Chief Executive Officer Report 09.01.02 Prior Meeting Actions Status Report (To be updated and provided) 09.02. <u>Business Papers for Council Consideration and Decision</u> 09.02.01 LGAQ Councillor Update – invite to attend 09.02.02 GSD – Invite to join Steering Committee – Gulf Future Visions Workshop 09.02.03 NGRMG – Coordination of Gulf Flood Recovery Proposal 09.02.04 Cr Annie Clarke – Request for Reimbursement of Travel Costs 09.02.05 Councillor access to Superannuation 09.02.06 Provision of Councillor Uniforms 09.02.07 Burketown State School – Request for Assistance – Rugby Carnival 09.02.08 Upcoming Conferences 09.02.09 Application for Permit to Occupy Lot 17 USL 221 09.02.10 Small Business Disaster Resilience Planning



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10. Works Manager Reports

“Engineering Services, Refuse Management, Sewerage and Water Utilities.”

10.01. Business Papers for Information

- 10.01.01 Monthly Roadworks Program Updates
- 10.01.02 Monthly Town Mtce., Water Supply, Sewerage and Waste Mngt. Updates
- 10.01.03 Prior Meeting Actions Status Report (To be updated and provided)

10.02. Business Papers for Council Consideration and Decision

- 10.02.01 Gregory Health Clinic
- 10.02.02 Gregory Hall (Racecourse Reserve)
- 10.02.03 Fencing Near Albert River Bridge
- 10.02.04 Access to Fish Restocking Facility
- 10.02.05 North West Queensland Regional Water Supply Strategy
- 10.02.06 NQCCS – Request for Council to enter into a contract.
- 10.02.07 Swimming Pool entry rails – Burketown Pool Complex
- 10.02.08 Emergency Blivett Repairs

11. Manager Corporate Services Reports

“Finance, Administration and Community and Cultural Development”

11.01. Business Papers for Information

- 11.01.01 Monthly Financial Report
- 11.01.02 Higher Duty Pay Policy
- 11.01.03 Tidy Towns
- 11.01.04 Prior Meeting Actions Status Report (To be updated and provided)

11.02. Business Papers for Council Consideration and Decision

- 11.02.01 EFTPOS facilities
- 11.02.02 PBF Australia Insurance Proposal
- 11.02.03 Council and Community Housing Update
- 11.02.04 Anzac Day
- 11.02.05 Credit Cards Usage and Acquittal
- 11.02.06 Self Help Television

12. Consideration of Committee Recommendations

No Committee reports received at time of agenda preparation

13. Closed Session Reports

- 13.01 Replacement of CEO Status Report - Verbal
- 13.02 Replacement of Works Manager Status Report - Verbal
- 13.03 Individual Staff Contract Matters Report - Verbal
- 13.04 Enterprise Bargaining Matters - Verbal
- 13.05 Publication of inappropriate comment in minutes – Written Report available at meeting



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14. New Business of an Urgent Nature Admitted by Council.

15. Closure of Meeting

Deputations and Presentations scheduled for Meeting:

None scheduled at time of agenda preparation



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01. OPENING OF MEETING

02. RECORD OF ATTENDANCE

Members: Cr Annie Clarke Mayor
Cr Ernie Camp, Deputy Mayor
Cr Tracy Forshaw
Cr Bill Olive
Cr Tonya Murray

Staff: Fred de Waard, Acting Chief Executive Officer
Don McEvoy, Acting Works Manager
Zoe Belz, Manager Corporate Services
Administration Officer (Minutes)

03. CONSIDERATION OF APPLICATIONS FOR LEAVE OF ABSENCE

Cr Tonya Murray has advised that, due to difficulties with scheduling flights and other commitments, she will be unable to attend this meeting in person.

Recommendation:

That Leave of Absence be granted to Cr Murray for the current Ordinary General Meeting of Council.

04. CONFIRMATION OF MINUTES OF PREVIOUS MEETING(S)

Minutes of the Ordinary General Meeting held on the 24th and 25th of February, 2009 have been previously circulated to Councillors. Some amendments were made to the original circulated Minutes and the revised Minutes were circulated.

Council is required to confirm the Minutes of the Ordinary General Meeting held on the 24th and 25th of February, 2009 at this meeting.



Minutes 24-25 Feb
2009

[Double Click Icon to Open]

Recommendation:

That the Minutes of the Ordinary General Meeting held on the 24th and 25th of February 2009 as presented be confirmed by Council.



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05. MAYORAL MINUTE AND REPORT

A Verbal Report will be provided to the Meeting by the Mayor.

06. COUNCILLOR REPORTS

Councillors are invited to present Verbal Reports to the Meeting.

07. CONSIDERATION OF NOTICE(S) OF MOTION

None received at time of agenda preparation

08. CONSIDERATION OF PETITION(S)

None received at time of agenda preparation



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09. CHIEF EXECUTIVE OFFICER REPORTS

Recommendation:

That

- A) the Chief Executive Officers Business Papers for Information numbered 09.01.01 to 09.01.02 as presented be received by Council and noted; and**
- B) the Chief Executive Officers Business Papers for Council Consideration and Decision numbered 09.02.01 to 09.02.10 as presented be received by Council for consideration.**

09. Chief Executive Officer Reports

“Governance, Development, Environmental Services”

09.01. Business Papers for Information

09.01.01 Monthly Chief Executive Officer Report (To be provided)

09.01.02 Prior Meeting Actions Status Report (To be updated and provided)

09.02. Business Papers for Council Consideration and Decision

09.02.01 LGAQ Councillor Update – invite to attend

09.02.02 GSD – Invite to join Steering Committee – Gulf Future Visions Workshop

09.02.03 NGRMG – Coordination of Gulf Flood Recovery Proposal

09.02.04 Cr Annie Clarke – Request for Reimbursement of Travel Costs

09.02.05 Councillor access to Superannuation

09.02.06 Provision of Councillor Uniforms

09.02.07 Burketown State School – Request for Assistance – Rugby Carnival

09.02.08 Upcoming Conferences

09.02.09 Application for Permit to Occupy Lot 17 USL 221

09.02.10 Small Business Disaster Resilience Planning



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09.01.01 CEO Monthly Report

File: NA	Date: 13/03/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Providing Council with an update on Governance, Development and Environmental Management Matters as at 13th March 2009.

2. FOR COUNCIL INFORMATION

3. FULL REPORT

3.1 Governance Matters:

3.1.1 Staffing Levels Status

Current staff and their status appears to be as follows:

	# of Established positions	Position Reference	# Employed	# of Vacancies	Comments
ft – full time, ft-t – Full time trainee, pt – part time/casual, sec – secondment, tem – temporary, ses – seasonal temporary, vac – vacant, contract					
CEO	1 ft CEO(3)	vac	1 tem	1 ft	1. ACEO under temporary contract. (Advertising underway). EA position to be established – to be deployed from FINANCE
FINANCE	6 ft 1ft-t 2 pt 1 ses 1. MCS(8) 1. AO/L 2. AO/CDO 3. AFO 4. AO pt 5. HACCP(1) 1. HACCC pt 6. DASO 7. VI ses 8. Trainee	2 5 4 7 6 8 34 18 vac vac	6 ft 2 pt	1 ses 1 ft-t	One Customer Service Officer internal secondment being trialled. One Officer to be redeployed to EA Position



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	# of Established positions	Position Reference	# Employed	# of Vacancies	Comments
	ft – full time, ft-t – Full time trainee, pt – part time/casual, sec – secondment, tem – temporary, ses – seasonal temporary, vac - vacant				
WORKS	25 ft 1 contract 2 ses		21 ft 1 contract 2 ses	4 ft	Works Coordinator seconded to Works Manager position.
	2. MPC	10			Works Manager Position being advertised.
	3. WM(6)	vac			
	1. WF(11)	9			
	1.RF ses	11			
	2. PO(G)	vac			1 Contract Team engaged by tender when works permit.
	3. PO(G)	24			
	4. PO(G)ses	28			
	5. PO	27			
	6. PO	20			
	7. PO	22			
	8. PO	26			
	9. PO	21			
	10. PO	vac			
	11. MPO	vac			
	12. SADO	19			
	2.WSM(2)	16			
	1. TA	17			
	2.BM/PO	contract			
	3. UTM(1)	14			
	1.WSO	23			
	4. TWM(5)	13			
	1. PGLH	31			
	2. LAB	30			
	3. LAB	33			
	4. CLN	29			
	5. GH	32			
	5. GC	12			
	6. RAN	15			
Total by type	32 ft 1 ft-t 1 contract 2 pt 3 ses		27 ft 1 contract 2 pt 2 ses 1 tem	5 ft 1 ft-t 1 ses	
TOTAL	39		33	7	



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Employee Listing as at 13/02/2009

Permanent Positions (Some Seasonal and part time)			Current Incumbent	
OFFICE				
Senior Management Team				
CEO Acting	1tem	CEO	de Waard	Fred
Manager Corporate Services	2	MCS	Belz	Zoe
Works Manager	Vac			
Other				
Admin & Community Development	4	AO/CDO	Portch	Cheryl
Admin Officer/Library	5	AO/L	Williams	Jenny
Admin Officer	6 pt	AO	Gray	Jessica
Payroll Debtors/ Creditors Officer	7	PDCO	Wade	Rosita
Trainee	Vac			
Admin Officer	t/cas		McEvoy	Patricia
HACC				
HACC Program Leader	8	HACCPL	de Joux	Pamela
HACC Coordinator PT	34	HACCC	Douglas	Amanda
WORKS				
Roadworks				
Major Projects Coordinator	10	WC	McEvoy	Donald
Works Foreman	9	WF	Beaumont	Douglas
Rural Foreman	11	RF	Yanner	John
Plant Operator Truck - Road Train	20	PO	Cooling	Peter
Plant Operator (Roller)	21	PO	Doomadgee	Ivan
Grader Operator	22	PO(G)	Kumsing	Alan
Grader Operator	24	PO(G)	Keogh	Boyd
Maintenance Plant Operator	25	MPO	Cunningham	Allan
Plant Operator (Water Truck)	26	PO	Hendersen	Noel
Plant Operator Loader & Excavator	27	PO	Booth	David
Grader Operator (Seasonal)	28	PO(G)	Smith	Johnson Leonard
Plant Operator (Grader)	Vac			
Plant Operator Water Truck	Vac			
Plant Operator Maintenance	Vac			
Town Works				
Town Work Manager	13	TWM	Baker	Colin
Cleaner	29		Baker	Jo-Anne
Labourer - Town Mtce	30		Dowse	Wayne
Leading Hand P&G	31		Marshall	Trevor
General Hand	32	GH	Gaunt	Brian
Labourer - Town Mtce	33		Bligh	Jaidine
Labourer	t/cas		Behrendt	Michael
Water & Sewerage				
Utilities Manager	14	UTM	Marshall	Robert
Water Sewerage Officer	23	WSO	Marshall	David
Rural Lands, WHSO, etc				
Ranger	15		Cunningham	Melville Russel



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Workshop				
Workshop Manager	16	WSM	Harris	Brett
Trades Assistant	17	TA	Welsh	Norman
Store/Depot				
Depot Admin & Store	18	DASO	Dibble	Frances Jane
Store Assist/Depot Assist	19	SADO	Gowdy	Norman
Boilermaker/Plant Operator	cont	BM/PO	Sinclair	Bob
Gregory				
Gregory Caretaker	12	GC	Portch	Elvee
Visitor Info				
Visitor Information Officer	ses	VIO	Thomas	Frank

Established Casual Employee Call List as 13/02/2009

Casual Positions - (Pre-qualified staff on call as work requirements determine for casual/temporary work.)		
OFFICE & HACC		
	McEvoy	Patricia
	Yanner	Mangubidigirri
WORKS		
	Behrendt	Michael
	Vinson	Chadwick
	Shadforth	Gordan

3.1.2 Staff attendances at Conferences and Training

- Jenny Williams to attend the Greater Gundi Group meeting in Winton from the 25th to 27th of March.
- Rosita Wade to attend PCS training in Toowoomba 27th March to 2nd April
- Pam de Joux & Amanda Douglas – HACC training in Cloncurry 30th March to 1st April.
- Don McEvoy to attend the IPWEA Conference in Richmond to present a paper on the Albert River Bridge – 1-3 April.
- Zoe Betz – PCs User Group – Coolangatta – 27th April to 1st May

3.1.3 Events Calender

March 2009	
18	Council Meeting
25-27	Greater Gundi Group Meeting
27	A/CEO departs for week break
27	Infrastructure Symposium for North West Mineral Province – Mt Isa
31	Agforce NQ Regional meeting - Boulia
April 2009	
1-3	IPWEA Conference - Richmond
6	A/CEO returns



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7	Elected Member Update (LGAQ) – Mt Isa
10	Good Friday (School Holidays Commence)
10-12	Burketown Barramundi World Fishing Championships
13	Easter Monday
15	Council Meeting
19	School Holidays end
21-24	Southern Gulf Catchment Roadshow- Gregory Downs
24	LGAQ Infrastructure Symposium - Brisbane
25	Anzac Day Ceremony - Burketown
28-29	AQIS
30	Elected Member Update (LGAQ) Normanton
May 2009	
2-4	Gregory Downs Jockey Club Races & Gregory Downs Canoe Race
4	Labor Day
4	Gregory Downs Bull Spectacular
6-8	North Queensland Local Government Association Conference - Hughenden
20	Council Meeting
June 2009	
8	Queens Birthday
17	Council Meeting
20-21	Gregory Campdraft and Horse Sports
21-24	Australian Local Government Association National General Assembly - Canberra
27	School Holidays Commence
July 2009	
12	School Holidays end
15	Council Meeting
29-31	Australian Local Government Women's Association (Qld) Conference - Toowoomba
August 2009	
19	Council Meeting
24-27	LGAQ Annual Conference - Brisbane
29	Arts & Craft Show
September 2009	
8-12	Gregory Mini School
16	Council Meeting
19	School Holidays Commence
20	Gregory CWA Horse Sports
October 2009	
4	School Holidays End
21	Council Meeting
November 2009	
3	Melbourne Cup (Show Holiday in Burke Shire)



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18	Council Meeting
December 2009	
5	School Holidays Commence
16	Council Meeting
25	Christmas Day
28	Boxing Day

3.1.4 Policy Development and Review

A summary of policies under development and/or review to be provided.

3.1.5 Grants Status

A summary of current grant applications and their status is to be compiled.

3.1.6 Complaints Status Reports

Council is required to register and deal with complaints in accord with an established Complaints Policy.

A summary report of complaints received in the prior month and their status will be compiled for the next meeting.

3.2 Development Matters:

A current status of Development Applications lodged with Council is being developed.

3.3 Health and Environmental Service Matters:

A current status report of health and environment licensing applications (Food, Mobile Vending, ERA's etc) and their status is being developed.

F.M.A. de Waard
Acting Chief Executive Officer



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09.01.02 CEO Status Report

File:	Date: 13/03/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Providing Council with the status of actions previously sought by Council for action

2. FOR COUNCIL INFORMATION

3. FULL REPORT

The status of matters previously resolved since 15th October 2008 by Council is as follows:

24/25-02-2009		
1. Tidy Towns Funding	That Council not participate in the Annual Tidy Towns awards for 2009 and the Acting Chief Executive Officer report back to Council on how the resources saved can be better utilised. RES 8.090224	Report to March Meeting. CLOSED
2. Major Facilities Program	That A) the Acting Chief Executive Officer obtain feedback and report back to Council; and B) Councillors be supplied with a copy of the application made. 9.090224	Advice received on enquiry by Don McEvoy is that as the application consisted of a number of small projects it did not meet the guidelines. Will be provided at the March Meeting. CLOSED
3. Commercial Land	That the writer be advised that land is not currently available and the Acting Chief Executive Officer investigate and report back to Council on how Council can accelerate the release of land under Native Title. 10.090224	Letter to be written prior to meeting Report for April Meeting
4. DTRDI – Disaster resilience for business	That this item be deferred to the next meeting. 11.090224	Report to March Meeting. CLOSED



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5. Land availability	That the Acting Chief Executive Officer prepare a report on the land available for disposal in Burketown and Gregory and the writer be advised that Council is unable to sell the block to him at this time. 12.090224	Letter to be written prior to meeting Report for April Meeting
6. Application for Permit to Occupy by Council	That this item be deferred to the next meeting. 13.090224	Report to March Meeting. CLOSED
7. Waste Disposal in Burketown and Gregory	That the Acting Chief Executive Officer prepare a report with further options and costings for Council's consideration. 15.090224	Report for April Meeting
8. Regional and Local Community Infrastructure Funding	That Council apply for funding for a multi-purpose centre at the Rodeo Grounds in Burketown through the Regional and Local Community Infrastructure Program. 20.090224	Unable to lodge an application as concept was insufficiently developed and there was inadequate business planning and costing information available. Could not be achieved in the time frame available. CLOSED
9. Energy Audit for future funding opportunities	That the Acting Chief Executive Officer provide Council with an update of the status of this matter at a later meeting. 21.090224	Research underway.
10. Position of Works Manager	That the Acting Chief Executive Officer be delegated authority to negotiate and accept a contract with the preferred candidate for the Works Manager in consultation with the Mayor. 24.090224	Delegation not exercised. Refer Closed Session Report. CLOSED
11. Position of Acting CEO	That the Mayor be delegated authority to negotiate and accept a contract with Mr Fred de Waard for the position of Acting Chief Executive Officer. 25.090224	Contract finalised. To be signed when Mayor attends Burketown. CLOSED
12. Recruitment of Permanent CEO	That the Acting Chief Executive Officer commence the recruitment process for obtaining a permanent Chief Executive Officer utilising the services of the Local Government Association of Queensland. 26.090224	LGAQ engaged. Package reviewed and finalised in consultation with Mayor and LGAQ. Position being advertised. Refer Closed session report. CLOSED



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18/12/2008		
1.	That Council make representation to the Minister to make provision in the new Local Government Act for teleconferencing/videoconferencing for Council meetings in extenuating circumstances. 8.090206	Letter Sent by previous CEO. CLOSED
2.	That the Chief Executive Officer take necessary legal action to effect the removal of cattle from town common as soon as possible. 7.081218	Instructions issued to Ranger. Legal action yet to be instigated.
3.	CEO to identify industrial area at Gregory & Burketown and report back to Council at next meeting with a proposal to acquire available land. CARRIED 8.081218	Research to be undertaken.
4. Queensland Heritage Grants Program	Resolved that proposals be prepared for the following projects and they be brought back to Council for consideration at the next meeting: <ul style="list-style-type: none"> • Information Centre Burketown • Old Kitchen at Savanna • Old Jail at Gregory 	Unable to ascertain status at this time
5. CLCAC – Woodslake Restoration Project	Resolved that a letter to be sent acknowledging receipt of CLC's letter and the names of surrounding property owners be included. Further that a request be made for Council to be represented on any Committee.	Completed 22/12/2008 CLOSED
6. Legal responsibilities of the fencing of council roads.	Resolved that the Chief Executive Officer consult the LGAQ regarding previous motions and actions on the subject of fencing of Council roads.	Unable to ascertain status at this time
7.	Resolved that the Chief Executive Officer contact LAWMAC regarding advice on the relocation of the Burketown tip.	Unable to ascertain status at this time
8.	Resolved that the Acting Works Manager arrange for wire netting to be placed around the Gregory tip to assist with tidiness.	Unable to ascertain status at this time. Netting placed around tyres.
9.	The DNR&W recently made a commitment to Burke Shire Council to undertake an evaluation of all unallocated State Land in Burketown & Gregory Downs to identify lots suitable for residential development.	Research to be undertaken.



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	Resolved that an investigation be made into the State owned lands and a report be brought back to Council.	
10.	Circulate a memo to employees regarding limited use of vehicles.	Memo was circulated by previous CEO. CLOSED
11.	Meeting with Ingenro to be scheduled around 15 January 2009 and Cr Murray and CEO to attend. January Ordinary Meeting is set for 15 January 2009.	Have contacted Ingenro who is to reschedule visit in April/May to coincide with Council meeting.
12.	Meeting to be arranged in early 2009 with Kath Logan regarding road maintenance.	Meeting held – awaiting advice from Zinifex
13.	Academy of Architects consultant to talk to Council.	Research to be undertaken.
14.	Investigate the best return on Council investments.	Investment Policy to be prepared and presented for Council adoption.
15.	Investigate compression of files to allow for Councillors to obtain full download of data.	Will need to discuss with Councillors. Should be Closed
01/12/2008		
1.	That Council contact Agforce asking that they hold a workshop to assist interested parties in the development of submissions to the Gulf Resources Operation Plans. 01.081201	Unable to ascertain status at this time
2.	That Council invite tenders for the supply of fuel services in early 2009 05.081201	Report for April meeting on how to advance this.
3. Aged Care Facility	That prior to considering the matter further, D & R Community Services be asked to advice of research and survey results to ascertain the need for the facility. 09.08.1201	Unable to ascertain status at this time
25/11/2008		
1.	Resolved that the final payment for the New Albert River Bridge be withheld until the agreement/ contract with Nelmac Pty Ltd is signed by all parties.	Contract yet to be signed. Research required to determine status.



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21/10/2008		
1.	The CEO investigate the provision of handball courts in Burketown	Preliminary design and costing prepared. Refer to budget.
2. Boating Infrastructure Capital and Maintenance Program	That Council apply for funding under the Boating Infrastructure and Maintenance program for a boat ramp with a small pontoon in the vicinity of the Albert River Bridge. 07.081021	Unable to ascertain status at this time
3. Ingenero 2010 Solar Challenge	A limited number of Councils are invited to participate in the Ingenero 2010 Solar Challenge which commences with the Ingenero 2010 feasibility Assessment. This assessment will allow Council to engage Ingenero at no cost to visit Council site/s to determine a suitable renewable energy solar solution. That Council participates in the Solar challenge. 10.081021	Has been responded to. Research required to determine where this is at. Can be followed up when Ingenero attend future Council meeting.
4.	Council refers pedestrian access across the middle section of the old Albert River Bridge to Major Projects Manager, Don McEvoy for a report	Unable to ascertain status at this time
15/10/2008		
1. Brumby Quarry Application	Resolved that the Works Manager attend to the application.	Unable to ascertain status at this time. I have the files and will need to research. Cr Forshaw advises that she believes this matter has been attended to.
2. Inverell Accommodation Services	The Works Manager to identify projects that have had funds allocated that would be appropriate for the IAS to construct. Further that a letter of support be forwarded to the IAS in relation to their work	Unable to ascertain status at this time
3.	That the CEO investigates legal options or incentives for joint involvement between council and property owners in the provision of stock fencing along priority council roads. 03.081015	Legal advices sought from L. Evans and presented to November meeting. CLOSED
4.	That Council delegate the CEO to negotiate with Mr. John Bishop about the outstanding invoice. CARRIED 06.081015	Unable to ascertain status at this time
5.	WM to investigate, Hand rails for the deeper swimming pools for elderly.	Report to March Meeting seeking further clarification. CLOSED



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6.	Council requested the following items be actioned: An Environmental Reward Pack be produced, The pond in Morning Glory park receive regular maintenance. A Junior Ranger shirt be provided for the children and An open day once Barra Facility is completed.	Unable to ascertain status at this time Information required from Council to clarify so that reports on same can be produced.
7. review of the Aboriginal Cultural Heritage Act 2003 and Torres Strait Islander Cultural Heritage Act 2003	Resolve to develop a submission for Cultural heritage due by 15 December 2008	No submission prepared. Time for submissions closed. CLOSED



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09.02.01 Elected Member Update Presentations – LGAQ

File: LGA/01	Date: 02/02/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

LGAQ inviting Qld Mayors, Deputy Mayors, Elected Members, CEO's and Senior Managers at their Annual Elected Member Update workshops, designed and delivered by LGAQ.

EMU sessions will focus on four key areas of Local Government this year:

- Governance
- Sustainability
- Community
- Finance and Asset Management

To be held at Normanton 30th April and Mt Isa 7th April from 9:00am to 4:00pm.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That all Councillors attend the LGAQ Update in Mt Isa or Normanton and the Chief Executive Officer and Manager Corporate Services also attend one of these sessions.

3. FULL REPORT

3.1 Background:

These updates are provided annually by the LGAQ. A full program and venue details will be available at a later time.

3.2 Statutory Environment: None

3.3 Policy Implications: Council is a member of the LGAQ and is an active participant in its programs.

3.4 Financial Implications: Cost of travel to and from either Mt Isa or Normanton (CEO's vehicle to be used from Burketown) plus 1 to 2 nights accommodation and meals. Funding is available out of the Councillor and Staff Training/Conference budgets.

3.5 Strategic Implications: None

3.6 Officers Comment: These Updates are a good opportunity for Councillors and Senior staff to be updated on current issues in local government as well and networking with peers in the industry.

3.7 Consulted With: NA



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09.02.02 GSD - Invite to join Steering Committee – Gulf Future Visions Workshop

File: REG/07	Date: 10/03/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

An invite has been extended to the Mayor to be a member of the Steering Committee which is being set up for the Gulf Future Visions Workshop to be held later this year.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council endorse the Mayor's membership of the Steering Committee for the Gulf Future Visions Workshops as a Council activity noting that Council is not expected to incur any costs as this Steering Committee will be meeting by teleconference with the costs of the teleconference being borne by Gulf Savannah Development (GSD).

3. FULL REPORT

3.1 Background:

GSD has advised "Last year Yvonne Tunney, in her capacity as a NWQ Community Representative to the Regional Community Ministerial Forum, proposed to the State that a Gulf Future Visions Workshop be held to:

- look at the key factors which will shape the Gulf economy into the future
- define opportunities for local business and identify areas where external support is needed
- to create a vision and action plan for the Gulf business community.

Some of the issues planned to be included in the workshop are climate change, the impact of peak oil, demographic change etc. It is planned that the workshop would cover all Gulf Shires – Etheridge, Croydon, Carpentaria, Mornington, Kowanyama, Doomadgee, Burke – and have a focus on the business community.

GSD, as a regional organisation, was asked to apply for the funding and to manage the project. An application was made to Blueprint for the Bush and \$20,000 has been approved.

Steering Committee

The Steering Committee would be responsible for:

- deciding on issues and presenters
- workshop format
- timing and venue
- leveraging other funding and in-kind support to maximize the event, and facilitating participation.



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We have sought to include a balance of stakeholder groups in the Committee (grazing, fishing industry, natural resource management, indigenous interests, tourism, and all levels of government) and to get reps spread across the Shires.

It is proposed that we hold:

- one inception meeting in March to start planning
- a second meeting closer to the date of the workshop to confirm arrangements
- a final meeting after the workshop to discuss follow up.

Meetings will largely be done by teleconference, paid by GSD. Current thinking is to hold the workshop around October.”

3.2 Statutory Environment: Endorsement of participation in this activity as a Council activity extends relevant Council insurance cover to the Councillor whilst participating.

3.3 Policy Implications: None.

3.4 Financial Implications: No costs expected to be incurred.

3.5 Strategic Implications: Regional Cooperation

3.6 Officers Comment: None.

3.7 Consulted With: NA



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09.02.03 NGRMG – Coordination of Gulf Flood Recovery Proposal

File: FLO/15	Date: 10/03/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Proposing that the Shire's of Burke, Carpentaria, Croydon and Etheridge jointly prepare a flood recovery package for consideration by State and Commonwealth Governments

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council endorse the preparation of a regional flood recovery package for consideration by State and Commonwealth Governments and commend the Northern Gulf Resource Management Group for its offer of assistance at no cost and its professional and pro-active stance in this matter.

3. FULL REPORT

3.1 Background:

NGRMG has suggested that “We just all pull together (regardless of membership) and pool our resources to draft the recovery package within the next two weeks. Both the Northern Gulf Resource Management Group and Gulf Savannah Development organisations are available to apply staff and skills to pulling a package together which would outline the issues and impacts, and propose solutions/needs and delivery mechanisms of the package. Agforce will also help with their expertise and skills. We would focus on the small businesses, primary producers, social/ mental health, and environmental issues whilst the local governments pull together the infrastructure issues.

We propose to use the most recent data to demonstrate the value the region and businesses are to the State and national economy, the impact this flood event (that may not be over yet) has had, and the most achievable/ practical ways in which to help people, the economy and the environment to recover.

While GSD and NGRMG can do the leg work to develop the package (with Agforce's guidance on some issues), we strongly believe that the Shire's are the appropriate authority to drive such a recovery program and we wish to work cooperatively with you to ensure your success - which in turn is a success for the people, economy and environment of the gulf region.



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We are seeking your endorsement for such a cooperative approach. If you believe this is not in your best interest please let us know as soon as possible as both NGRMG and GSD have already begun gathering the background data etc needed to pull this package together.

The package is separate from issues surrounding disaster management planning, communications, immediate animal welfare etc - it is primarily about a joint effort to get our region well placed to recover.”

3.2 Statutory Environment: Under the Disaster Management Act Council is responsible for coordinating its flood recovery response in its area.

3.3 Policy Implications: None.

3.4 Financial Implications: Costs of attending meetings as called (using teleconference where possible) as well as staff time in responding to information requests. All of these costs are expected to be well under what Council would incur by ‘going it alone’.

3.5 Strategic Implications: Regional Cooperation

3.6 Officers Comment: The offer from NGRMG is to be commended as it will allow the preparation of a coordinated regional response that will carry significant weight with Federal and State bodies and allow for a professional and comprehensive response strategy to be formulated.

Implementation of the response will remain Council’s responsibility.

3.7 Consulted With: NA



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09.02.04 Cr Annie Clarke – Request for Reimbursement of Travel Costs.

File: COU/01	Date: 10/03/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Cr Clarke is seeking reimbursement of travel costs incurred by her with respect to the following matters attended to as Mayor:

- a) Meeting with Garry Gray (Office of Northern Australia) in Townsville in the week beginning 3rd March 2009. – Share of costs with NQACC sought – airfare of \$461.69 (Other costs borne by NQACC).
- b) Meeting in Cloncurry on 11th March 2009 Gulf Beef Industry Recovery Taskforce Meeting

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council approve the payment of expenses claimed by Cr Clarke for

- a) **attendance as Council's representative in Townsville in the week commenced 3rd March 2009 to meet with Mr Gary Gray, Parliamentary Secretary for Regional Development and Northern Australia ; and**
 - b) **attendance at the Gulf Beef Industry Recovery Taskforce Meeting on Wednesday 11th March in Cloncurry; and**
- in accord with Council's Councillor Reimbursement of Expenses Policy.**

3. FULL REPORT

3.1 Background:

Cr Annie Clarke was invited (Along with the Acting Mayor of Carpentaria Shire) to meet with the Parliamentary Secretary for Regional Development and Northern Australia the Hon Gary Gray AO MP in her capacity as Mayor of Burke Shire Council and as Chair of the North QLD RDA in Townsville at the Local Government Association of Queensland - Economic and Regional Development Conference 2009, Thursday 5 March 2009. Cr Clarke was attending Townsville also to attend the North Queensland RDA. Originally there was going to be other attendees from this area. Cr Clarke is enquiring as to whether the air ticket purchased by her to attend Townsville can be reimbursed by Council. Other costs of attendance have been borne by the NQRDA and Cr Clarke.

Cr Clark also was invited to attend the Gulf Beef Industry Recovery Taskforce Meeting on Wednesday 11th March in Cloncurry in her capacity as Mayor.



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3.2 Statutory Environment: Local Government Act 1993

3.3 Policy Implications: None

3.4 Financial Implications: Costs of \$461.69 for airfare plus mileage for private vehicle to Mt Isa and return and incidental costs related thereto.

3.5 Strategic Implications: None

3.6 Officers Comment: Advice was received from the Manager Corporate Services in discussions with the NQRDA that that organisation would cover all costs of Cr Clarke's attendance at the NQRDA meeting in Townsville. Cr Clarke purchased the airfares direct and is seeking Council to pay this component given the meeting with Garry Gray.

At the Post Election meeting it is noted in the minutes (without a resolution) that:

"It was agreed that the Council representatives of the following external organizations remain as set by precedent or legislation:

External Organisation

*Local Government Association of Queensland
Gulf Regional Planning Advisory Committee
Burke Shire Counter Disaster Committee
Agforce
North Queensland Area Consultative Committee*

Council Representative

*Mayor & Deputy Mayor
Mayor & CEO
Mayor, Deputy Mayor & CEO
Mayor Clarke
Mayor Clarke"*

Council's adopted Councillor Expenses Reimbursement Policy states in part:

Travel as required to represent council

A local government may reimburse local and in some cases interstate and overseas travel expenses (e.g. flights, car, accommodation, meals and associated registration fees) deemed necessary to achieve the business of council where:

- a councillor is an official representative of council and
- the activity/event and travel have been endorsed by resolution of council.

It is within Council's power to approve the reimbursement of expenses claimed in accord with Council's adopted policy for Cr Clarke to attend these meetings .

3.7 Consulted With: NA



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09.02.05 Councillor Access to Superannuation

File: STA/08	Date: 11/03/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Queries have been raised about Councillor access to superannuation.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council provide superannuation support in accord with Section 238 of the Local Government Act 1993 to individual Councillors requesting such support.

3. FULL REPORT

3.1 Background:

Cr Forshaw has requested further advice on superannuation for Councillors.

3.2 Statutory Environment: Specifically allowed for under Section 238 of the Local Government Act 1993.

In summary

Councillors may choose to access superannuation contributions despite the fact that Councillors have not decided to be treated as employees under the Tax Act if Council has chosen to allow Councillors to access such payments. Once Council has chosen to allow Councillors access to such payments the choice to access superannuation is an individual one solely at the discretion of each individual Councillor. Council superannuation contributions, where a Councillor chooses to access it, must be paid to a superannuation fund on the Councillors behalf by Council and does not form part of the remuneration calculation for Councillors as determined by the Remuneration Tribunal. Councillors may elect to become a member of the Local Government Superannuation Fund or to use any other approved superannuation fund of their choice.

King and Company advise as follows:

The intent of s 238 is to enable Councils, at their discretion, to provide superannuation support for councillors up to but not exceeding the level of support provided for officers pursuant to chapter 17 of this Act and the Commonwealth superannuation legislation.

The provision of superannuation support for councillors is voluntary, and there is no compulsion on a councillor to accept superannuation provision which is offered by his or her Council. The one qualification to this is that if councillors have passed a



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unanimous resolution to elect under s 221B of the *Income Tax Assessment Act* (see notes to s 237), then the councillors are taken to be “employees” for the purposes of the *Superannuation Guarantee Charge (Administration) Act 1993*, and the Council will be compelled to make the minimum mandatory employer contributions (failing which it will face liability for the superannuation guarantee charge). Councils which make such an election must understand that individual councillors will be thereby deprived from the ability to claim any tax deduction in respect of personal superannuation contributions (unless their Council income is less than 10% of their total income).

The section gives Councils a range of options for providing superannuation support. They can establish their own superannuation scheme, join with other local governments in establishing a joint scheme or simply take part as a contributing employer in an existing scheme. The Queensland Local Government Superannuation Board (which administers the statutory scheme for ordinary employees) initially established a separate scheme specifically for councillors but, since 1 July 1995, councillors have been eligible to be members in the main QLGSB scheme. However, unlike the position with respect to ordinary employees, there is no compulsion on Councils to contribute to the statutory (QLGSB) scheme, and they are free to contribute to private sector schemes on behalf of councillors.

Councils who are considering making contributions to a fund must ensure that the fund complies with the provisions of the *Superannuation Industry (Supervision) Act 1993* and associated Acts and regulations. These Acts are a Commonwealth legislative package to regulate superannuation. If a fund does not comply with the Superannuation Industry Supervision legislation, it does not qualify for concessional tax treatment.

The section makes it clear that the maximum level and basis of superannuation contributions for councillors is identical to that which applies to full time officers. Under subsection (3)(a), the maximum employer contribution for 1995/1996 is 11%, rising to 12% on and after 1 July 1997. The effect of paragraph (b) is that councillors who wish to obtain this level of support must themselves contribute 6% (so that the proportion of employer to employee contribution is the same as for officers). Contributions may be of a lesser amount so long as this proportion is maintained.

3.3 Policy Implications: None.

3.4 Financial Implications:

Councillors who elect to obtain superannuation on their Councillor remuneration payments may only get such superannuation at the same level applicable to Council employees. This entitles Councillors to payment of 9% of remuneration (not expenses) if Councillors choose not to become a contributory member of a superannuation fund. If Councillors choose to obtain superannuation on their Councillor remuneration and choose to become contributory members then a minimum level of contribution required of 6% of remuneration is required for a Councillor to access the maximum 12% Council contribution. This raises the cost of Councillor remuneration by 9% or 12 % per Councillor who elects to obtain superannuation from Council.



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3.5 Strategic Implications: None

3.6 Officers Comment:

There is a wealth of information available to Councillors on the LGOnline website on this topic. Individual Councillors who currently do not have any employer funded superannuation contributions at present and who access the benefits available under the Tax Act for contributions to superannuation funds by self employed persons accordingly would be advised to obtain professional advice from their accountant or financial advisor before electing to obtain superannuation contributions from Council on their Councillor remuneration.

Any Councillors who do not have any superannuation arrangements other than superannuation contributions from employers for whom the Councillor works would generally not have any issues with accessing Council superannuation contributions.

3.7 Consulted With: NA



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09-02-06 Provision of Councillor Uniforms

File: COU/01	Date: 11/03/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

A question has been raised as to the status of uniforms for Councillors.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That the Chief Executive Officer be asked to prepare a revised Councillor Expenses Reimbursement Policy for Council's consideration.

3. FULL REPORT

3.1 Background:

Council adopted the Transitional Expenses Reimbursement Policy for Local Government Councillors provided by the Department of Local Government in May 2008.

The Chief Executive Officer has been asked about "Uniforms for Councillors – was talk last year about maybe dress shirts, blazer & ties for "official" functions/outings – we were going to get some catalogues etc" by Cr Forshaw.

3.2 Statutory Environment: Council's payment of expenses to Councillors must comply with the approved policy of Council.

3.3 Policy Implications: Council has an adopted policy which does not allow for the payment of expenses for provision of uniforms to Councillors.

3.4 Financial Implications: None

3.5 Strategic Implications: None

3.6 Officers Comment:

Whilst the existing policy does not allow for uniforms Council can amend the policy if it wishes. Any such amendment requires that a new policy is prepared and proposed by Council for adoption. It then must be referred to the Department of Local Government for approval by the Department before Council resolves to adopt it.

3.7 Consulted With:



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09-02-07 Burketown State School Rugby League Carnival

File: SCH/01	Date: 11/03/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

A request has been received from the Burketown State School for Council assistance with the 2009 Carnival to be held on the 29th and 30th of April 2009.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That

a) Council provide the assistance sought on the proviso that Council's assistance with the event is acknowledged at the event and in any publicity for the event; and

b) All costs of assistance provided by Council (staff time, plant hire, facility hire waived etc) for the event beyond normal facilities maintenance be costed to a separate costing number so that costs of the assistance provided are recorded.

3. FULL REPORT

3.1 Background:

Burketown State School is requesting Council's help with;

1. Use of Mougibi Oval,
2. Watering and mowing Mougibi Oval. Due to the Wet Season this year the fields are lovely, green and soft, and we are hoping that we can continue keep the playing field in top shape for the carnival.
3. Use of building and facilities at the sports fields, hall and other facilities in Burketown e.g. preparation of food, showers and toilets,
4. Bins (Emptied Daily), Chairs and Tables at the sporting field.
5. Marquees and shade tents,
6. Accommodation in the shire hall for visiting schools and guests,
7. Use of Council Bus to transport players from Mornington Island around town. Mornington Island players fly to Burketown and have no vehicular transport.



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A copy of the letter is provided below:



Burketown State
School Request

[Double Click to read].

3.2 Statutory Environment: None

3.3 Policy Implications: Council has provided this assistance in the past.

3.4 Financial Implications: Cost of assistance provided in previous years has not been costed so it is difficult to provide an estimate of the costs involved. Such assistance would normally be provided out of the Community Organisations Contribution budget.

3.5 Strategic Implications: None

3.6 Officers Comment:

Council has traditionally provided support to this event and it is presumed that the level of support sought is the normal level and Council wishes to continue this support.

3.7 Consulted With:



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09.02.08 Upcoming Conferences

File: COU/01	Date: 11/03/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Advice has been received of the following upcoming conferences:

- a. 2009 Infrastructure Symposium for North West Mineral Province – Mt Isa – 27th March 2009
- b. Agforce NQ Regional Meeting – Boulia – 31st March 2009
- c. Infrastructure Symposium 2009 – LGAQ – Brisbane 21st to 24th April 2009
- d. North Queensland Local Government Association Conference – Hughenden 6th to 8th May 2009
- e. Australian Local Government Women's Association (Qld) Conference – Toowoomba - Wednesday 29th to Friday 31st July 2009

2. FOR COUNCIL DECISION

RECOMMENDATION:

1. That Council send Cr Clarke to the 2009 Infrastructure Symposium for North West Mineral Province – Mt Isa – 27th March 2009;
2. That Council send Cr Clarke to the Agforce NQ Regional meeting in Boulia on the 31st of March 2009;
3. That Council send Cr Annie Clarke to the LGAQ Infrastructure Symposium in Brisbane from the 21st to the 24th of April 2009;
4. That Council send the following Councillors to the North Queensland Local Government Association Conference in Hughenden on the 6th to 8th May 2009:
Cr Annie Clarke, Cr Ernie Camp,
And that Cr Clarke and Cr Camp be Council's delegates at this conference;

AND

5. That Council send the following Councillors to the Australian Local Government Women's Association (Qld) Conference in Toowoomba on the 29th to 31st July 2009:
Cr Annie Clarke,
Cr Tracy Forshaw
Cr Tonya Murray



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3. FULL REPORT

3.1 Background:

Advice has been received from MITEZ of the holding of the 2009 Infrastructure Symposium for North West Mineral Province – Mt Isa – 27th March 2009. Cr Clarke is seeking approval to attend and claim mileage costs to and from Mt Isa to attend. The conference is addressing “the issues of infrastructure deficiencies, planning bottlenecks and future mine production targets can be put on the table and openly debated.” The Infrastructure Symposium is part of the 2009 Xstrata Mount Isa Mining Expo and commences at 1pm, Friday March 27 at the Mount Isa Civic Centre Auditorium.

An invitation has been received from Agforce to attend the Agforce NQ regional meeting in Boulia on the 31st March 2009. The Agforce NQ General Meeting will be held at this time.

Advice has been received from the LGAQ of the Infrastructure Symposium in Brisbane from the 21st to the 24th of April, 2009. Note that attendance at this Conference would require non attendance at the April meeting of Council which is scheduled for the 20th of April.

At Council’s Post election meeting it was noted by Council that the Mayor and Deputy Mayor would be Councils representatives on the LGAQ. Council is also a member of the North Queensland Local Government Association however no Council delegates for this association have been determined by Council. The North Queensland Local Government Association is constituted by its member local governments and Burke Shire Council is a member of this association.

The Australian Local Government Women’s Association does not have local government membership. I believe that Council has supported attendances of Councillors in the past. Attendance is not restricted to women Councillors.

3.2 Statutory Environment:

3.3 Policy Implications: None

3.4 Financial Implications: There is no specific budget allocation for Councillor Conferences and Deputations. The general budget allocation for Conferences and deputations has a budget of \$50,000 and has had \$27,348 expended as at the end of February 2009.

Costs of attendance at each of the conferences as follows:

2009 Infrastructure Symposium for North West Mineral Province – Mt Isa

Mileage for travel from Cr Clarke’s home to Mt Isa and return.

Agforce NQ Regional Meeting – Boulia

Mileage for travel from Cr Clarke’s home to obtain CEO Vehicle to attend Boulia.

Accommodation, expenses and registration costs for one Councillor

Estimate \$400



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Infrastructure Symposium - Brisbane

Per Councillor, Observer and Partner - Registration	\$ 985
Technical Tour Registration	\$ 50
Accommodation – Wednesday/ Thursday/ Friday	\$1,000
Air Travel to Brisbane and Return ex Burketown	\$1,000
Estimated cost for <u>one Councillor – no partners</u>	\$3,035

North Queensland Local Government Association Conference - Hughenden

Per Councillor, Observer and Partner - Registration	\$150.00	\$150
Accommodation – Wednesday/ Thursday/ Friday	\$ 85 to \$100 per night	\$300
Travel - Cr Mileage to attend pick up point for departure in Council vehicle (CEO's vehicle to be used)		
Estimated cost for <u>two Councillors – no partners</u>		\$1,000

Australian Local Government Women's Conference – Toowoomba

Per Councillor, Observer and Partner - Registration	None advised	
Accommodation – Wednesday/ Thursday/ Friday	\$ 165 to 235 per night	\$ 705
Travel time accommodation and meals 2 days (if travelling by car to Toowoomba)		\$ 300
Travel to Mt Isa for flight to Brisbane/bus to Toowoomba & return		\$1,200

Estimated cost for <u>three Councillors – no partners</u>	\$6,000
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3.5 Strategic Implications: None

3.6 Officers Comment:

3.7 Consulted With:



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09.02.09 Council application for Permit to Occupy over Lot 17 on USL 221

File: RAT/02.230/78000	Date: 11/03/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Advice has been received from the Department of Natural Resources on the 6th February 2009 that Council's application for a Permit to Occupy over Lot 17 on USL 221 received by the Department on the 18th of August 2006 has been assessed and that it has been identified that the issue of a Permit to Occupy over the area for recreation and public space is not the appropriate tenure as such use falls under a community purpose under the Land Act 1994 and accordingly it is considered that any area required for a community purpose is more appropriately managed under a reserve.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That the Department of Natural Resources be advised that Council concurs with their advice that the application be changed to an application for obtaining the land as a Reserve for Community and Recreation Purposes in lieu of a Permit to Occupy for the same purpose.

3. FULL REPORT

3.1 Background:

Council applied to the Department in 2006 to obtain Lot 17 USL 221 (Gleeson Street, Gregory) under a Permit to Occupy for the purposes of use as a recreation and public space area (No buildings).

This matter was deferred to this meeting by the February meeting of Council.

Land applied for is as per the attached map.



Lot 17 USL Plan

[Double Click to view]

3.2 Statutory Environment: Land Act, Council's adopted Town Planning Scheme

3.3 Policy Implications: None



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3.4 Financial Implications: The proposed different tenure would save Council the expense of annual fees.

3.5 Strategic Implications: None

3.6 Officers Comment:

The Department requires a response by 2 April 2009 as to whether Council wants to proceed to obtain the land sought by way of a Reserve rather than a Permit to Occupy. If Council still wants to obtain the land as a reserve then the response is “Yes – change the application to an application for a reserve.”

If Council wished to obtain the land for future development (not indicated in the application) then a reserve would not be appropriate.

Council’s adopted town planning scheme shows this land as being zoned *community and recreation*.



Zoning Map 4 -
Gregory

[Double Click to view]

3.7 Consulted With:



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09.02.10 Disaster Resilience Plan for Small Business

File: EME/01	Date: 12/03/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Darren Cleland from the Department of Tourism, Regional Development and Industry, has forwarded the Mayor a copy of a planning template that can be used by small business to help provide business owners with information and practical processes to help businesses plan for emergencies.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council's pre disaster season information dissemination to communities include advice on how businesses can access the Disaster Resilience Plan template, Hazard Checklist, Risk Control Action Plan, Cyclone and Storm Surge checklist and flooding checklist from the Department of Tourism, Regional Development and Industry.

3. FULL REPORT

3.1 Background:

Details of the documents from the Department are attached.



Disaster Resilience
Plan

[Double Click to view]

3.2 Statutory Environment: Disaster Management Act

3.3 Policy Implications: Burke Shire Disaster Management Plan (Preparedness)

3.4 Financial Implications: None

3.5 Strategic Implications: Council's Corporate Plan includes reference to maintaining a state of preparedness for disaster management.

3.6 Officers Comment:

3.7 Consulted With:



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10. WORKS MANAGER REPORTS

Recommendation:

That

- A) the Works Manager Business Papers for information numbered 10.01.01 to 10.01.02 as presented be received by Council and noted; and**
- B) the Works Manager Business Papers for Council Consideration and Decision numbered 10.02.01 to 10.01.08 as presented be received by Council for consideration.**

10. Works Manager Reports

“Engineering Services, Refuse Management, Sewerage and Water Utilities.”

10.01. Business Papers for Information

10.01.01 Monthly Roadworks Program Updates

10.01.02 Monthly Town Mtce., Water Supply, Sewerage and Waste Mngt. Updates

10.02. Business Papers for Council Consideration and Decision

10.02.01 Gregory Health Clinic

10.02.02 Gregory Hall (Racecourse Reserve)

10.02.03 Fencing Near Albert River Bridge

10.02.04 Access to Fish Restocking Facility

10.02.05 North West Queensland Regional Water Supply Strategy

10.02.06 NQCCS – Request for Council to enter into a contract.

10.02.07 Swimming Pool entry rails – Burketown Pool Complex

10.02.08 Emergency Blivett Repairs



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11.01.01 Roadworks Program Update

File: ROA/05;09;52;19.09	Date: 11/03/2009
WM Reports	Author: Doug Beaumont
Attachments: None	

1. EXECUTIVE SUMMARY

Providing Council with an update of current and proposed road works to be undertaken.

2. FOR COUNCIL INFORMATION

3. FULL REPORT

3.6 Officers Comment:

RMPC:

WDR and Camooweal road; Joint road inspection WF, AWM with Main roads Engineer & Inspector 12/3/09, Main roads personnel overnight Burketown for meeting with ACEO, AWM, WF and Main Roads personnel.

From 25-02-09 we have started opening grade access work on Burketown – to Gregory road. Also Lawn Hills and National Park roads.

16-03-09 - will be starting opening grade on the Gregory to Mt Isa - (Camooweal r/d) boundary. The de-silting of the Leichhardt crossing will be commencing also. Hopefully this will be achieved by 20-03-09.

Roads Maintenance/Flood Damage/Capital Works

09-03-09 started works on Escott road, also the completion of National Park road and to the Riversleigh boundary road which. This should be complete by the end of the week.

Once these roads are opened we have many wash-outs and gully's to repair to make travelling these roads completely safe until our yearly road maintenance programs can be kicked off. With continued clear weather we should achieve this by the end of the month.



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11.01.02 Town Maintenance, Water Supply, Sewerage and Waste Management Update

File: WAT/13, SEW/15	Date: 11/03/2009
<i>WM Reports</i>	Author: Don McEvoy
Attachments: None	

1. EXECUTIVE SUMMARY

Providing Council with an update of current Town Maintenance, Water Supply, Sewerage and Waste Management matters.

2. FOR COUNCIL INFORMATION

3. FULL REPORT

3.6 Officers Comment:

Burketown Water Treatment

Tom Hatrick on site installed new alum mixing unit plus maintenance to the new treatment plant.

Blivett

A purchase order has been sent to Water Recyclers for urgent repairs to the Blivett Recycling unit (See Separate Report on same – 10.02.08).

Water Recyclers are programmed to be on site week of 23/3/09 to complete the urgent works plus additional training for council's operator.



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10.02.01 Gregory Health Clinic.

File: HEA/03	Date: 11/03/2009
WM Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Concerns have been raised by Councillor Forshaw at the dilapidated state of the Gregory Health Clinic.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council write to Queensland Health seeking their urgent advices on that Departments plans for replacement and ongoing mtceof the building.

3. FULL REPORT

3.1 Background:

Cr Forshaw has advised as follows:

“Rob (BSC carpenter) had a look at the health clinic at Gregory yesterday, and he said it should be condemned. Major ceiling damaged caused by roof leaking. Also damage to floor – this was caused by toilet and sewage overflowing in the last couple of years. Walls are also delaminating (peeling) this is caused by the air cons. Verandah boards are splintering - should really be replaced as they have been put on upside down. Every time it rains it will get worse – we can SES tarp it for now but it won’t stand another wet season.

Brief history

- 1995/6 joint project between Qld Health & BSC & RFDS - Qld Health supplied the building, BSC supplied the land. (I think Annie has the original paper work)
- Volunteers look after the cleaning of the clinic, picking up the medical staff etc. – used to be the Tim O’Leary RFDS Clinic – has been taken over by the QCWA Gregory Branch (same ladies).
- Mainly used for fortnightly RFDS Clinic. But also used by Allied Health, Women’s Health Nurse & Clinic.
- BSC has helped with some maintenance issues – mainly the over flowing toilet/sewage lines – this was caused by tree roots in septic line causing sewage to flow all over the floors. Leaking toilet has also caused the place to be flooded on a few occasions.



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- Old Kev (Kevin Malone) keeps the doors opening and closing and does the small maintenance bits.
- Qld Health now pays for the phone rental and calls for the clinic (this was organised by Dr Don Bowley) previously the volunteers took care of the costs.
- Zoe checked to see if it was listed under BSC insurance – it isn't so we can't claim storm damage.

I think if Council/QCWA/RFDS to a joint letter asking Qld Health to repair and/or replace the building now, we might have it before next wet season”

3.2 Statutory Environment: None

3.3 Policy Implications: Council has adopted the practice of carrying out minor maintenance and improvements of this clinic in recent years. This is not formally documented nor is there any record of any formal arrangement in place between Council and the owners of the clinic which appears to be Queensland Health.

3.4 Financial Implications: There is no specific budget allocation for significant works on the Gregory Health Clinic. Previous works have been incorrectly allocated to maintenance of the Gregory Council Depot.

3.5 Strategic Implications: Council's Corporate Plan makes no mention of Council's aspirations with respect to this building.

3.6 Officers Comment: In recent times Council has upgraded the septic at the building and connected it to water as well undertake basic maintenance.

3.7 Consulted With: NA



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10.02.02 Gregory Hall

File: COO/03	Date: 11/03/2009
WM Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Concerns have been raised by Councillor Forshaw over the state of the telephone line installation at Gregory Hall and the state of air-conditioning at the hall.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That cost estimates for upgrading the air-conditioning at the Gregory Hall on the Racecourse reserve be obtained for Council's consideration during its 2009/10 budget deliberations.

3. FULL REPORT

3.1 Background:

Cr Forshaw has advised as follows:

- “Telephone line to Gregory Hall – resolution made in June/July meeting for Council to put a telephone line into the Gregory Hall to be use for Council meetings, and for safety reasons at community events – previous Works Manager (JR) major panic – hired Forshaw Contracting to dig trench in Oct 2008 – trench has been dug from the Health Clinic alongside the footpath and into the hall. Trench is now ½ filled up due to rain. There is cable and pipe lying beside the trench, there is no safety tape etc around the trench – Don was going to look in to - just want an update
- Air Cons – Gregory Hall – 2 roof mounted evaporated air cons where placed on the hall few years back. Because they don't run 24 hrs/7days a week they have caused hassles – re over flowing, dripping water and are very noisy. JR was to look into replacing roof mounted with evap air cons that were mounted on a stand nearer to the ground – so they can be easily serviced. Evap air cons work quiet well down here at Gregory. Refrigerated air cons were not originally considered due to high power usage (generator power supply). With new inverter type air cons maybe an option. To re-use the roof mounted evaps – they could be placed on top of the Gregory water treatment plant – the shed needs more ventilation and if the evap air cons are run continuously there is a lot less maintenance worries. I'm not sure how the water side of the evap air cons would go with the chemicals though”



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3.2 Statutory Environment: None

3.3 Policy Implications: None.

3.4 Financial Implications: There is no specific budget allocation for works on the Gregory Hall nor is there any budgetary allocation for the works of connecting the telephone line at the hall. Costs incurred to date total \$2,414 (net of GST and oncosts) for Byrne Electrics for “installation of Telstra cable to the race club including “supply and run cable and conduit for 284 metres plus a Telstra pit” and Forshaw contracting of \$1,000 (net of GST and oncosts) for digging of the trench. This has been charged to the Gregory Sports Reserve and Racecourse maintenance budget which has a \$2,000 budget allocation for general maintenance, slashing and rates and charges for 2008/09. Total expenditure year to date is \$6,412.26. Total expenditure last year was \$2,253.38.

3.5 Strategic Implications: Council’s Corporate Plan makes no mention of Council’s aspirations with respect to this building.

3.6 Officers Comment:

Action is underway to follow up the completion of the cabling installation by Byrne Electrics of Mt Isa. I am unable to ascertain at this time why the works were not completed however payment of their account has been authorised for payment by the Chief Executive Officer in November 2008.

The replacement of air conditioners at the hall with different style air conditioners would require costing and referral to Council’s 2009/10 budget meeting.

Discussions with the Acting Works Manager indicate that relocating of the air conditioners would not be feasible as Council would simply be moving a problem elsewhere.

I note that quotations were sought by Mr Jim Reeves from two firms for the following:

1. remove the two evaporative A/C units from the roof of the hall
2. make good the penetration to the roof
3. reinstall or replace the two roof mounted units with one or two units as required to be mounted level with the suspended floor of the hall on the southern side
4. Prices to:
 - a. Include directly blowing the air through the wall and
 - b. To install ducting along the roof line to terminate in the kitchen
5. Prices to include all travel, accommodation and removal of the old units from site
6. Power will be made available to the successful contractor for both installing and commissioning the units.

At this time I have been unable to ascertain if such quotes were received.

3.7 Consulted With: NA



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10.02.03 Fencing Near Albert River Bridge

File: LEA/13	Date: 11/03/2009
WM Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Queries have been raised by Cr Camp about the state of the fencing of the northern side of the Albert River Bridge as the lessee of the land will be looking at putting stock back into the area.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council amend its 2008/2009 budget to make provision for expenditure of \$20,000 for the provision of two 4m x 2.1m grids and concrete bases delivered to site to facilitate the public access through any fence at the northern side of the Albert River Bridge and that these grids be provided to the lessee of the land on which the fence and grids is to be erected on the proviso that the lessee undertake to erect the fencing required to keep stock from the road and install the grids to Council's specifications at their own cost upon receipt of the grids.

3. FULL REPORT

3.1 Background:

Council is in the process of entering into a Trustee Lease with Kenneth Booth. Whilst this lease is not yet finalised I understand that occupancy has commenced for the purpose of grazing cattle since at least 2004.

Under the agreed terms of this lease the lessee is responsible for providing fencing of the reserve and for providing public access points onto the reserve.

Council resolved as follows in October 2008:

"That Council approves option 2 - fencing along the eastern side of the Burketown Nardoo Road between Albert River Bridge and Burketown including two boundary cattle grids, subject to identifying available finance.
CARRIED 04.081015"



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Option 2 was estimated at \$50,000 (if Council was to do all works) or \$26,000 if Council supplied the materials and the property owner installed the fence and grids. This involves some 2.3kms of fencing plus the installation of two grids on the fishing tracks for public access.

There is no evidence of Council agreeing to a modification of the lease requirements at that time and no evidence of Council being provided with any information at the time on the existing proposed lease commitments and its instructions to its solicitors and the Department of Natural Resources.

3.2 Statutory Environment:

Council has no legal obligation to undertake these works. The reverse is in effect the case, i.e. the lessee is to be responsible for the provision of the fencing and access points. For Council to now agree to undertake the works would require an amendment of the proposed lease conditions and an amendment of the annual lease charge. It would be inappropriate for Council to undertake the works at its cost as the most substantial part of the expenditure could be construed as public expenditure for private benefit.

3.3 Policy Implications: Council has no existing policy of fencing of reserves under its control from existing roadways.

3.4 Financial Implications: No budget provision exists for these works

3.5 Strategic Implications: None

3.6 Officers Comment:

At best, given the provisions of the lease agreement proposed by Council previously, it might be argued that Council provide the grids to facilitate public access through the fence as the lessee could alternatively simply provide a gateway as I understand that the access tracks are not public roads and as such there would be no prohibition on the lessee using gates at such points.

3.7 Consulted With: AWM, MCS



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10.02.04 Access to Grow Out Facility for Fish Restocking

File: FIS/09	Date: 11/03/2009
WM Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Queries have been raised by Cr Camp about the access to grow out facility for fish restocking which is within the grounds of the Water Treatment Plant.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That estimates of cost to provide a public access to the grow out facility for fish restocking be prepared for consideration in Council's 2009/10 budget.

3. FULL REPORT

3.1 Background:

Council has established a fish restocking facility at the water treatment plant in Burketown. Access to this facility through the water treatment plant area by volunteers is not appropriate given the workplace health and safety issues with respect to access to the Water Treatment Plant site.

3.2 Statutory Environment: None

3.3 Policy Implications: Council needs to maintain security at its water treatment plant for WHS reasons.

3.4 Financial Implications: No budget provision exists for these works

3.5 Strategic Implications: None

3.6 Officers Comment:

A cost estimate of options will need to be prepared for Council's consideration at its 2009/10 budget meeting.

3.7 Consulted With: NA



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10.02.05 North West Queensland Regional Water Supply Strategy.

File: WAT/39	Date: 11/03/2009
WM Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Minutes of the meeting of the NWQRWSS Management Committee held on 11 December 2008 have been provided. These minutes list a number of matters to be addressed by members of the committee.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council nominate its Works Manager as the appropriate key technical personnel for participation with consultants and the project team for the Urban Water Demand Assessment.

3. FULL REPORT

3.1 Background:

Council has elected to be a member of the Strategy Management Committee for the North West Queensland Regional Water Supply Strategy and has designated Cr Ernie Camp to be its representative on the committee.

Minutes of the last meeting held on the 11th December have been provided.



NWQRWSS SMC
Minutes 111208

(Click icon to read minutes)

Matters arising from the minutes for Council's attention are as follows:

Urban Water Demand Assessment Terms of Reference -

There is a need to establish a contact list of technical persons within each local government area that the consultant can get in touch with; to be able to get the best available information.

- Local Governments to nominate key technical personnel for participation with consultants and project team.



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3.2 Statutory Environment: None

3.3 Policy Implications: None

3.4 Financial Implications: None

3.5 Strategic Implications: None

3.6 Officers Comment: None required.

3.7 Consulted With: NA



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10.02.06 NQCCS – Request for Council to enter into a contract for Mtce Works of Serco facility at Burketown airport

File: PRV/01	Date: 11/03/2009
WM Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Correspondence has been received from NQCCS Pty Ltd asking Council to continue with carrying out the Serco ground maintenance contract for the 51 FNQR in Burketown.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That NQCCS be advised that Council is not prepared to enter into the agreements sought to be signed by them however Council is prepared to continue with the maintenance of the facility provided a) a clear list of work sought to be done is provided by them and b) NQCCS accepting that Burke Shire Council will charge for such works as they are carried out at current private works charging rates; and c) NQCCS undertake to pay accounts issued by Burke Shire Council for undertaking such works within 30 days of issue.

3. FULL REPORT

3.1 Background:

NQCCS has advised as follows:

“NQCCS have just been granted the Serco ground maintenance contract for the 51 FNQR in Burketown. The people at Serco have informed us that you have previously completed the ground maintenance on this site and have done a good job. We would like to extend the offer to continue doing the ground maintenance on this site. It is done on a monthly basis, we only ask that we receive before and after ground maintenance photos and that they be emailed to operations@nqccs.com.au

As we discussed on the phone you were going to get back to me with the price that you were previously charging for this site.

I am very eager to have you do this site, I have attached the confidentiality agreement and contract as discussed, if you could please sign and return this to NQCCS either via email or fax to 07 47242623 it would be greatly appreciated.”



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3.2 Statutory Environment: None

3.3 Policy Implications: Council carries out private works for other parties under its terms and conditions and at its private works rates.

3.4 Financial Implications: None

3.5 Strategic Implications: None

3.6 Officers Comment:

The contracts sought to be signed by NQCCS do not detail the works to be undertaken nor do they protect Council in any way. As Council does not need to do such work it is more appropriate that it be carried out in accord with Council's contractual requirements.

3.7 Consulted With: NA



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10.02.07 Swimming Pool entry rails – Burketown Pool Complex

File: SPO/06	Date: 11/03/2009
WM Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Queries have been received with respect to the status of the swimming pool rails at the Burketown Pool Complex.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That costs be obtained to allow for elderly /disabled access to the pool for such access at the Burketown Pool Complex and such estimates be referred to Council at its 2009/10 budget deliberations.

3. FULL REPORT

3.1 Background:

Cr Clarke has requested a follow up on the “Lack of hand rails at the swimming pool which has been outstanding since it was built”

Cr Camp advises that “Installation of hand rails in the deeper pools at the Pool Complex. Exiting the pool can be quite challenging for the elderly or infirm.”

3.2 Statutory Environment: It is a requirement that the pool complex cater for accessibility for disabled and elderly into the facility.

3.3 Policy Implications: None

3.4 Financial Implications: There is no budget in 08/09 for handrails in the pool.

3.5 Strategic Implications: None

3.6 Officers Comment:

Don McEvoy chasing up cost and details but in order to do this some direction is required as to which pool in the complex Council is seeking elderly/disabled access to.

Once we have this clarification a proposal to provide appropriate access will need to be prepared, costed and referred to Council’s 2009/10 budget deliberations.

3.7 Consulted With: AWM, MCS



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10.02.08 Blivett – Urgent Repairs

File: SEW/15	Date: 11/03/2009
WM Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

The Acting Works Manager has advised that urgent repairs have had to be undertaken to the Blivett to meet Council's licence conditions.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council

- a) note that the Chief Executive Officer has utilised Section 486(b) of the Local Government Act 1993 for the repair of the Blivett at Burketown; and**
- b) modify the budget for the General Expenses for the operations and maintenance of the Burketown Sewerage Facility from \$45,000 to \$75,000.**

3. FULL REPORT

3.1 Background:

The Acting Works Manager became aware that the Blivett Recycling unit was not operating appropriately recently. The result is that the discharge from the Burketown Sewerage Treatment facility would not, without this unit functioning properly, meet our EPA discharge licence conditions.

This is a specialised unit that can only reasonably be repaired by Water Recycle Unit Australia. A quote was obtained for the repair of Rotor B & C amounting to \$8,149.68 plus staff travel, accommodation, materials freight, crane lift out & in of rotor and desludging of Blivett.

3.2 Statutory Environment: Local Government Act 1993 – Section 486 – Exemptions from tenders or quotations.

3.3 Policy Implications: None



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3.4 Financial Implications: Current expenditure (as at the end of February 2009) against a \$45,000 budget amounts to \$35,464.11. Total Maintenance expenditure in 2007/08 was \$57,566.

The cost of Blivett repairs is expected to be of the order of \$20,000 which, when coupled with normal ongoing maintenance of the sewerage system, would indicate that a budget allocation of some \$75,000 would be required for the 2008/09 year.

3.5 Strategic Implications: None

3.6 Officers Comment:

Whilst the value of the repairs of this unit are within the authority of the Chief Executive Officer to approve normally the budget allocation for repairs of the Blivett are insufficient at present.

In order to facilitate the commencement of the repairs the Chief Executive Officer utilised the provision for emergency expenditure under the Local Government Act 1993 to authorise a purchase order to be issued and to authorise the 75% advance payment sought to have the works commence.

A purchase order has been sent to Water Recyclers for urgent repairs to the Blivett Recycling unit and the 75% advance payment made.

3.7 Consulted With: AWM



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11. MANAGER CORPORATE SERVICES

Recommendation:

That

- A) the Manager Corporate Services Business Papers for Information numbered 11.01.01 to 11.01.03 be received by Council and noted; and**
- B) the Manager Corporate Services Business Papers for Council Consideration numbered 11.02.01 to 11.02.06 be received by Council for consideration.**

11. Manager Corporate Services Reports

“Finance, Administration and Community and Cultural Development”

11.01. Business Papers for Information

11.01.01 Monthly Financial Report

11.01.02 Higher Duty Pay Policy

11.01.03 Tidy Towns

11.01.04 Prior Meeting Actions Status Report (To be updated and provided)

11.02. Business Papers for Council Consideration and Decision

11.02.01 EFTPOS facilities

11.02.02 PBF Australia Insurance Proposal

11.02.03 Council and Community Housing Update

11.02.04 Anzac Day

11.02.05 Credit Cards Usage and Acquittal

11.02.06 Self Help Television



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11.01.01 Monthly Financial Report

File: ACC/01	Date: 11/03/2009
MCS Reports	Author: Zoe Belz
Attachments:	

1. EXECUTIVE SUMMARY

The Financial Reports for the month ended 28 February are 2009 attached.

2. FOR COUNCIL INFORMATION

3. FULL REPORT

3.1 Background: Reports are provided in the attachments below: (Double click on icons to access)



Revenue &
Expenditure Report - Owing - 28 Feb 2009.



Debtors and Rates
- 28 Feb 2009. pdf



Capital Expenditure -
28 Feb 2009.pdf



Plant Replacement
Budget - 28 Feb 2009



Cash and
Investments - 28 Feb

3.2 Statutory Environment: Section 528 of Part 6, Chapter 7 of the *Local Government Act 1993* and the *Local Government Finance Standard 2005* apply.

3.3 Policy Implications: NA

3.4 Financial Implications: NA

3.5 Strategic Implications: NA

3.6 Officers Comment: The allocation of capital expenditure is currently under review, particularly in relation to Doomadgee Road East.



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11.01.02 Higher Duty Pay Policy

File: STA/01	Date: 12/03/2009
MCS Reports	Author: Zoe Betz
Attachments: None	

1. EXECUTIVE SUMMARY

Employees of Council are periodically required to relieve in a higher position. A standard policy for determining higher rates of pay has been prepared to ensure a consistent approach to the application of higher duties payments across all sections of Council. This is an administrative policy approved by the Chief Executive Officer.

2. FOR COUNCIL INFORMATION

3. FULL REPORT

3.1 Background: Council did not previously have a policy in relation to employees performing higher duties when relieving in a higher position. This policy below will clarify Council's position and provide a uniform method of assigning higher duties.

3.2 Statutory Environment: *Local Government Officers Award 1998 (LGOA) – Clause 10 (Federal Award) and other awards affecting local government employees.*

3.3 Policy Implications: New Policy

3.4 Financial Implications: None

3.5 Strategic Implications: None

3.6 Officers Comment: Council often has employees who are required to relieve in a position which is at a higher level in the salary system. The Clause 10.1 of the LGOA states:

When an officer is engaged wholly or mainly on duties other than those of the officer's usual grade or classification, the officer shall be paid the existing salary of the officer so relieved:

10.1.1 Provided that where the officer so relieved holds a position for which the Award provides annual increments, the officer engaged in relieving shall be paid the appropriate salary applicable to the first year of service, and whilst continuing to perform such duties shall receive the prescribed annual increments: Provided that this



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provision shall not apply where relieving duties are performed for not more than one day at a time.

The Local Government Employees (excluding Brisbane City Council) Award State 2003 (LGEA) is silent on relieving positions.

A policy has been prepared and approved by the Chief Executive Officer and is provided for the information of Councillors.



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Burke Shire Council Higher Duty Pay Policy

OBJECTIVE:

Burke Shire Council employees who are required to relieve in a position which is at a higher level within the salary system shall be paid for that relief. The rate to be paid shall be determined by considering the skills/experience applied by the employee relieving in the position but shall be at least the minimum rate for that position in accordance with the salary system, except where the higher level skills have been taken into account within the salary of the relieving employee.

One employee's absence may result in one instance of higher grade pay. Where more than one employee performs additional duties which are part of an individual job then the higher pay will be shared in accordance with clause 3 of the procedures in this policy.

Payment for use of skills relieving in a higher paid position shall be made for the time actually spent relieving in the higher position.

The higher grade pay will not apply when the relieving employee is absent due to Rostered Day Off, annual leave, sick leave or conference attendance or public holiday unless an employee is required to undertake additional skills that can be clearly defined and prior approval has been given for higher duty pay.

The higher grade pay does not apply to people relieving a position on the same grade, or a lower grade regardless of personal rates of pay.

The employees supervisor or the Chief Executive Officer may direct employees to carry out such duties that are within the limits of the employee's skill, competence and training. Council reserves the right to allocate duties in accordance with operational necessity and within budget.

SCOPE OF POLICY

This policy applies to all employees of Burke Shire Council and is prepared to ensure a consistent approach to the application of higher duties payments across all sections of Council. This policy only applies when the period of higher duties is for two or more consecutive days.



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PROCEDURE

1. Approval for payment of higher duties form

All claims for higher grade pay must be made by completing an 'Approval for Payment of Higher Duties' form. See Appendix 1.

2. Higher Grade will be paid at entry level for the higher grade

The rate to be paid to an employee relieving in a position which is of a higher level within the salary system shall be paid at least the minimum rate for that position in accordance with the salary system.

Where the rate already received by the relieving employee is higher than entry level for the higher grade position, then payment will be calculated by advancing the relieving employee to the next salary point within their own Grade.

3. Shared responsibility for higher duties will be paid as follows

The difference in the rate received by the highest paid of the relieving employees and the entry level of the higher grade position will be calculated. The difference will then be divided between the number of employees acting in the higher duties.

4. Higher Grade Pay and Public Holidays

Periods of time spent relieving in the position refers to performance of the duties of the position and does not include rostered days off, holidays or other leave days. If a Public Holiday is worked then Higher Grade payment will be made including the appropriate penalty rate.

Award conditions apply where the relieving employee is in receipt of a higher pay rate in the period immediately preceding annual leave.

5. Approval to Act In A Higher Capacity

Claims for higher grade pay are to be approved by the Chief Executive Officer (Or delegate) prior to the higher duties being undertaken. The higher grade pay is to be recorded and authorised on the employee's timesheet.



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6. Allocation of Duties

Payment of higher grade duties in the absence of an employee is not automatic. Supervisors may direct an individual employee, or two or more employees, to perform higher duties with payment to be made in accordance with the provisions of this policy where approval has been obtained.

7. Relieving of Senior Management Positions by other than Senior Management Staff

In cases where an employee is required to assume temporary additional duties due to the absence of the Chief Executive Officer, Manager of Corporate Services or Works Manager, a pre-determined amount Higher Duties level will be discussed in consultation with the Senior Manager whose duties are being taken on by the employee temporarily and must be determined and approved by the Chief Executive Officer prior to payment.

8. Relieving Duty

Access to relieving duty in a higher grade position (and the subsequent payment of higher grade pay) is not a condition of employment. In all cases a genuine need must exist for the relief duties to be undertaken and higher duties allowance paid.



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APPENDIX 1

Approval for Payment of Higher Duties Form

Higher Duties is to be paid to:		During the absence of:	
Name:		Name:	
Position Held:		Position Held:	
Current Personal Classification:		Current Positional Classification:	
Proposed Classification		Current Personal Classification	
Higher Duties to apply from (Date):		Higher Duties to apply To (Date) [Inclusive]	
Reason(s) for higher Duties Claim:			

Certification:

I certify that the employee will be carrying out 50% or more of the duties applicable to the position

of: _____ held by: _____ for the period indicated, and the employee holds the requisite skills and training to undertake the duties applicable to this position. Accordingly I hereby recommend the payment of the Higher Duties allowance sought.

Recommended by: _____
 Employees Supervisor

Date: _____

Approved by: _____
 Chief Executive Officer (or Delegate)

Date: _____

Noted on Payroll Records

Employee Advised

_____ Date _____
 (Payroll Officer)

Date: _____



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11.01.03 Tidy Towns

File: TID/01	Date: 12/03/2009
MCS Reports	Author: Zoe Betz
Attachments:	

1. EXECUTIVE SUMMARY

Council resolved in February 2009 not to enter the Ergon Energy Tidy Towns Competition for 2009 and to investigate alternative options for allocating the resources saved by not entering (*Resolution No 8.090224*).

2. FOR COUNCIL INFORMATION

3. FULL REPORT

3.1 Background: The approximate cost involved in participating in the Ergon Energy Tidy Towns Awards for 2008 was \$1,500.00. This is actual expenditure mainly on sending representatives to Cairns to attend the awards. The Administration and Community Development Officer (A&CDO) put in approximately 40 hours to this competition and Council has agreed that this time could be productively spent on other community projects of long-term benefit.

Suggestions from the A&CDO include:

- Litter program with the children of the Shire
- Anti-litter signage
- Communal gardens
- Water bubblers in public spaces at Burketown and Gregory
- Gardening Competitions

3.2 Statutory Environment: There is no statutory requirement for Council to participate in this competition.

3.3 Policy Implications: There is no policy in relation to this competition.

3.4 Financial Implications: The labour cost of this competition is a fixed cost that could be directed elsewhere.

3.5 Strategic Implications: This is congruent with Council's corporate and operational plans, section 5800 Parks, Gardens and Reserves.

3.6 Officers Comment: Alternative options for Council's resources will be investigated as part of the normal annual budget process.



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11.02.01 EFTPOS Facilities at Administration Centre

File: ACC/01	Date: 11/03/2009
MCS Reports	Author: Zoe Betz
Attachments:	

1. EXECUTIVE SUMMARY

Council does not have an EFTPOS facility to receive payments via debit or credit cards. Customers can only pay cash, cheque or direct deposit into Council's bank account. Installing an EFTPOS facility would provide more options for payment.

2. FOR COUNCIL DECISION

OFFICER RECOMMENDATION:

That Council install an EFTPOS facility at the Administration Centre.

3. FULL REPORT

3.1 Background: Council does not have EFTPOS facilities therefore can not receive payments via debit or credit cards over the counter or over the telephone. Installing an EFTPOS facility would require a dedicated analogue telephone line in the reception area of the administration centre. This would reduce the cash taken over the counter and provide additional payment options to customers. Council would not have the facility to provide "cash out" facilities.

3.2 Statutory Environment: NA

3.3 Policy Implications: NA

3.4 Financial Implications: There is a nominal monthly bank fee involved with providing EFTPOS facilities. However by providing this option Council would have the ability to increase its debt collection rate.

3.5 Strategic Implications: In line with Council's Corporate and Operational Plans – increasing administration efficiency through the adoption of advances technology.

3.6 Officers Comment: EFTPOS facilities are standard in Local Government Authorities and businesses in Australia. There is minimal increase in administrative duties resulting from this change and this would also allow customers residing outside of Burketown further payment options.

3.7 Consulted With: Acting Chief Executive Officer.



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11.02.02 PBF Australia Insurance Proposal

File: INS/01	Date: 11/03/2009
MCS Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

PBF Australia (Tony South) has presented a proposal to Council to cover either all of Council's staff (and Councillors) or all of Council staff (including Councillors) and partners with insurance cover in the event of spinal injury through the Paraplegic Benefit Fund.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council participate in the PBF Australia insurance scheme for spinal injury for its employees, Councillors and immediate family at the quoted cost of \$2,160 per annum.

OR

That Council participate in the PBF Australia insurance scheme for spinal injury for its employees and Councillors at the quoted cost of \$1,125 per annum.

OR

That PBF Australia be thanked for their advices and advised that Council has declined its offer to provide blanket coverage for its employees and/or immediate family however Council would facilitate the participation in this scheme of any of its employees or Councillors by providing payroll deduction facilities for their participation.

3. FULL REPORT

3.1 Background:

Details of the proposal have been provided in the attachment below.



PBF Burke Shire
Council Proposal.pdf

(Double click on icon to access)

3.2 Statutory Environment: There are no statutory requirements for this cover nor are there any impediments to Council providing this cover.



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3.3 Policy Implications: Council has no current policy on this matter.

3.4 Financial Implications: \$1022.73 per annum after GST for all employees and Councillors proposal or \$1,963.64 for all employees, Councillors and immediate families proposal.

3.5 Strategic Implications: None

3.6 Officers Comment:

I am sure that Council may have considered this previously. All of the support material provided has not been attached to this report. As can be seen from the support material provided Councils in Queensland are equally divided as to whether they do or do not participate.

3.7 Consulted With: NA



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11.02.03 Council and Community Housing Update

File: COH/01, SHI/02	Date: 11/03/2009
<i>MCS Reports</i>	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Queries have been raised by Councillors seeking and update on Council managed housing (Council and Community)

2. FOR COUNCIL DECISION

RECOMMENDATION:

That the Chief Executive Officer be asked to prepare a housing policy for Council's consideration.

3. FULL REPORT

3.1 Background:

Council has a mixture of Council and Community housing that it manages and maintains with waiting lists for different classes of such housing. Council is looking at buying a number of the community houses it maintains in order to be able to better control their use and the allocation of tenants to these houses.

3.2 Statutory Environment: None.

3.3 Policy Implications: Apart from the contracted conditions applying to the allocation of Community housing Council has no housing policy for the allocation of its own houses.

3.4 Financial Implications: None

3.5 Strategic Implications: Council's Corporate Plan refers to the need for Council to facilitate the development of public and private housing which is to be achieved through "evaluating and addressing the need for public housing and maintaining Council houses under a scheduled maintenance program.



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3.6 Officers Comment:

Current housing allocation and vacancies are provided in the attached confidential report.



Housing Update

[Double Click on Icon to open]

It would seem appropriate for Council to have a housing policy prepared that will ensure that houses are allocated using a clearly understood process.

3.7 Consulted With: MCS



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11.02.04 Anzac Day Commemorations

File: ANZ/01	Date: 11/03/2009
MCS Reports	Author: Cheryl Portch
Attachments:	

1. EXECUTIVE SUMMARY

Council has previously organised events for Anzac Day and provided financial support. Labour on the day has been provided by a small core group of volunteers.

2. FOR COUNCIL DECISION

OFFICER RECOMMENDATION:

That

a) Council delegate the Acting Chief Executive Officer to approve the final programme for Anzac Day;

AND

b) Council call a meeting of volunteers from the community;

AND

c) Council provide the opportunity for local community groups to operate a bar at the event.

3. FULL REPORT

3.1 Background:

In previous years, an official service has been held in Burketown. Gregory invited to participate and Council offered a bus service if needed. All work was done by volunteer labour. Council has picked up any associated costs with the event eg wreaths, barbeque, rum, breakfast, accommodation for the army. Council has provided breakfast and lunch and allowed local community groups to run a bar at the Council Hall.

It is proposed that this year's event program is similar to last year's and the Acting Chief Executive Officer approve the final programme of events for the day. Costs in previous years have been approximately \$1,500.



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Council has previously invited community groups to run a bar at the event as a fundraising activity. It is proposed that Council again allow this to occur with the clear understanding that the organising, staffing, clean up and expenses relating to the bar is the responsibility of the community group, including obtaining a liquor licence.

3.2 Statutory Environment: There is no statutory requirement for Council to provide this event.

3.3 Policy Implications: There is no policy in relation to this event.

3.4 Financial Implications: In prior years the expenditure has been included in the annual conferences and deputations budget (2008/09 \$50,000.00) and Council has relied on volunteer labour.

3.5 Strategic Implications: There are no strategic implications in relation to this event.

3.6 Officers Comment: This is an event that has been successfully patronised in the past and considered an essential event for the community. All labour for this event in previous years has been volunteer labour and will only be successful if the community is involved in the planning and running of the event again this year.

3.7 Consulted With: Manager Corporate Services, Acting Chief Executive Officer.



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11.02.05 Credit Card Usage and Delegations

File: PCY/01	Date: 11/03/2009
MCS Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Council recently obtained replacement credit cards for use by the Mayor, Chief Executive Officer and Manager Corporate Services. Appropriate delegations are required as well as a credit card usage policy.

2. FOR COUNCIL DECISION

RECOMMENDATION:

1. That Council delegate to the Mayor the power purchase goods and services by way of use of the Corporate Credit Card supplied by Council to the Mayor subject to the following conditions:

- a) All use of the credit card shall be in accord with Council's Purchasing Policy;**
- b) Use of the credit card shall be restricted to the purchase of goods and services incidental to the Mayor's expenses whilst away from the Shire area on Conferences, deputations and meetings;**
- c) The goods and services to be purchased with the card shall be restricted to such goods and services that would normally be claimable from Council under Council's Councillor Expenses Reimbursement Policy;**
- d) The Credit Card is only to be used where purchase under an account arrangement via Council's purchase order system is not reasonably available given the timing if the purchase required or the supplier of the goods/services requires payment by credit card; and**
- e) Compliance with the requirements of Council's Credit Card Usage policy at all times.**

AND

2. That Council delegate to the Chief Executive Officer the power purchase goods and services by way of use of the Corporate Credit Card supplied by Council to the Chief Executive Officer subject to the following conditions:

- a) All use of the credit card shall be in accord with Council's Purchasing Policy;**
- b) The Credit Card is only to be used where purchase under an account arrangement via Council's purchase order system is not reasonably available given the timing if the purchase required or the supplier of the goods/services requires payment by credit card; and**



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- c) **Compliance with the requirements of Council's Credit Card Usage policy at all times.**

AND

3. That Council delegate to the Chief Executive Officer the power to provide credit cards to other Council Officers subject to the users of such cards being bound by the same conditions applicable to the Chief Executive Officer for the use of Council Credit Cards plus any other conditions the Chief Executive Officer determines.

AND

4. That Council adopt the Credit Card Use and Acquittal Policy as presented

3. FULL REPORT

3.1 Background:

Council has had credit cards for some time however it has no record of delegations for their use nor a policy on their use.

3.2 Statutory Environment: Local Government Act 1993 – Section 36(1) (Local Government has powers of an individual)

3.3 Policy Implications: New Policy Proposed

3.4 Financial Implications: None

3.5 Strategic Implications: None

3.6 Officers Comment:

The authority to have or obtain a credit card comes from Council's powers as an individual under the Act (Individuals may choose to have credit cards). The authority to use a credit card comes from Council via Council's delegation to the Mayor, Standing Committee, Chair of a Standing Committee or Chief Executive Officer (And via the Chief Executive Officer delegation to other officers of Council).

Whilst Council has a Purchasing Policy and a purchasing delegation to the Chief Executive Officer it does not have a purchasing delegation to the Mayor (Which the Mayor would need in order to be able to use a Council credit card) nor is there a specific authority for the Mayor or Chief Executive Officer to have credit cards or a specific authority for the Chief Executive Officer to be able to get credit cards for other Council Officers.



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In addition to this Council needs a Credit Card usage policy so that holders of the credit card are provided with a clear set of guidelines with respect to the use and acquittal of the use of those cards.

A draft policy is presented as part of this report below.

3.7 Consulted With: MCS



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Burke Shire Council Credit Card Use and Acquittal Policy

1. Purpose

The intent of this policy is to document the procedures and controls applying to the use of corporate credit cards by Council Officers and Councillors.

2. Overview

Credit Cards are generally held by the Mayor, the Chief Executive Officer and such officers as authorised by the Chief Executive Officer (Authorised cardholders).

3. Receipt of Cards

Whilst Credit Cards are generally issued direct to relevant persons by the relevant financial institution all paperwork relating to their issue shall be provided to Council for its files and the person shall acknowledge receipt of the card and this policy once such card has been provided to them by the financial institution.

4. Billing Records

All billing records for credit cards will be addressed to the Chief Executive Officer and maintained by the Accounts Payable Officer in Council's accounts payable records.

5. Credit Card Usage and Authorisation of Expenditure

Except as allowed hereunder the use of credit cards is to be limited solely to purchases directly related to official Council business in relation to attendance at seminars, conferences and training courses and the like. **ABSOLUTELY NO PRIVATE USAGE OF THE CREDIT CARD IS ALLOWED.** Where users need to pay an account (Such as an accommodation bill) which includes a private component this private component must be paid privately and not paid with the Council credit card.

The use of Council Credit Cards comes with conditions and limits attached dependant on the authorised cardholder. All use is limited to the purchase of goods and services for Council's budgeted works where such a method of purchase is required to facilitate the purchase of the required goods and/or services. Credit Card usage in such circumstances is only to be used where purchase under an account arrangement via Council's purchase order system is not reasonably available given the timing if the purchase required or the supplier of the goods/services requires payment by credit card.



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6. Procedures

The authorised cardholder is to:

- Limit any credit purchase to the level of expenditure authority provided under the delegation held by that person (or the position held by that person);
- Ensure that a tax receipt for any purchase made is obtained at the time of the purchase;
- Forward tax receipts to the relevant accounts payable officer on a weekly basis and provide details to allow for the correct general ledger and costing dissections and the claiming of the GST paid by Council. The Mayor may submit such documentation to the Chief Executive Officer monthly.
- The authorised cardholder shall sign the monthly summary from the financial institution confirming the transactions listed thereon as being made in accord with this policy.

The accounts payable officer shall:-

- Reconcile the tax receipts received from the authorised cardholder with the monthly statement received from the credit card provider.
- Ensure that the expenditure incurred is within the purchasing authority provided under the delegation held by the authorised cardholder and, once appropriate authorisation has been obtained, complete the process by processing the payment of the credit card account where required.

7. Lost Cards

The authorised cardholder is to inform the Chief Executive Officer as soon as they become aware the card issued to them is lost as well as the relevant financial institution.

8. Return of Cards

The authorised cardholder is to return any cards held with all tax receipts due not yet submitted to the Chief Executive Officer (or Accounts Payable Officer) on termination of employment or when asked to do so by the Chief Executive Officer or Council.



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11.02.06 Self Help Television

File: TEL/16	Date: 11/03/2009
MCS Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Advice has been received from Imparja Television that the “overwhelmingly supported policy for the replacement digital self help services in remote areas is delivery via Direct to Home Satellite (i.e. no re-transmission by self help community organisations).

2. FOR COUNCIL DECISION

RECOMMENDATION:

That:

- 1. Council place the issue of self help television on the conference of the North Queensland Local Government Association in order to seek that associations support for the maintenance of self help transmission services in remote rural communities when they are converted to digital; and**
- 2. A letter be sent to the Federal Communications Minister and the local Federal Member seeking advices on Government proposals with respect to the replacement of self help transmission facilities in remote rural townships in light of the advices received by Council to date.**

3. FULL REPORT

3.1 Background:

Council currently undertake television retransmission (analogue) in the communities of Burketown and Gregory?

Recent email correspondence from Mr Tim Mason, technical consultant with Imparja television, has advices that the current position paper being prepared by the government will focus on replacing all self help set ups with individual satellite dishes and encoders thus transferring costs of maintenance to individuals.

Apparently a public discussion paper is to be issued in March this year which will invite comments and the switch over process is to be trialled at two or three locations mid 2010. General switch over of all systems is expected to occur by 2013.



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3.2 Statutory Environment: None

3.3 Policy Implications: Council currently funds the maintenance of self help retransmission of services delivered centrally from Burketown and Gregory?

3.4 Financial Implications: Minor savings for Council but the costs to the community could eventually be substantial as individuals will have to maintain their own satellite dishes and decoders.

3.5 Strategic Implications: None

3.6 Officers Comment:

This may or may not be an issue to Council however I suggest that the moving of responsibility for the maintenance of a transmission facility from Council and the ABC to individuals with satellite dishes and decoders required on each house in townships is a retrograde step for communities.

It is interesting to note that a firm recently sought Council's concurrence to obtain a grant for the upgrade of SBS self help retransmission facilities to digital. This application had been signed in February this year in readiness for lodgement however it would appear that further investigation is warranted along with a report to Council prior to proceeding with this.

3.7 Consulted With: MCS



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11.02.07 NAIDOC WEEK

File: EVE/01	Date: 11/03/2009
MCS Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Advice has been received from Ben Parsons, Director of NAIDOC Week School Initiatives, seeking a \$450 donation towards the printing and distribution of entry forms and posters to all primary schools in Council's area. NAIDOC Week 2009 is held from July 5th to July 12th.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council participate in the NAIDOC Week School Initiatives Colouring Competition with a donation of \$450 and review participation rates in the Shire in 2009 before considering any further involvement in 2010.

3. FULL REPORT

3.1 Background:

The literature/proposal provided advised that "Council has provided support in the past". The email advises that "Previous support was \$450 and was used towards the design, printing and distribution to schools across council's local government area. The response to last year's initiative from students in council's LGA was overwhelming and we anticipate similar this year."

3.2 Statutory Environment: None

3.3 Policy Implications: I can find no record of Council participating previously.

3.4 Financial Implications: \$450 from the donations budget.

3.5 Strategic Implications: None

3.6 Officers Comment:

The ABN supplied for the purposes of a tax invoice shows that the writer is using Koori Kids Pty Limited as the vehicle to collect the donations and that this is an Australian Private Company not registered for GST based in Cambewarra, New South Wales.



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A copy of the proposal is provided below:



NAIDOC Week 2009
Council Proposal

[Double Click icon to view]

There is a support statement from the Prime Minister attached and this support statement is summarised on all entry forms.

3.7 Consulted With:



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12. CONSIDERATION OF COMMITTEE RECOMMENDATIONS

None received at time of agenda preparation.



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13. CLOSED SESSION REPORTS

13. Closed Session Reports

- 13.01 Replacement of CEO Status Report - Verbal
- 13.02 Replacement of Works Manager Status Report - Verbal
- 13.03 Individual Staff Contract Matters Report - Verbal
- 13.04 Enterprise Bargaining Matters - Verbal
- 13.05 Publication of inappropriate comment in minutes – Written Report available at meeting

Recommendation

That Council move into closed session to discuss Confidential Items 13.01 to 13.05 under Section 463(a), (b) and (h) of the Local Government Act 1993

[NOTE: Closed Session Reports are confidential and are provided via a separate document. Council is unable to make decisions on Closed Session matters whilst the meeting is in Closed Session.] – To be provided

Recommendation

That the Meeting resume in Open Session to consider any recommendations arising out of the Closed Session.



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14. NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL

Recommendation (If Required)

That Council consider the following matters as they are considered to be of an urgent nature requiring immediate consideration by Council:-

15. CLOSURE OF MEETING